

THURSDAY, APRIL 14, 1988

EIGHTY-THIRD LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Rev. Leroy Peterson, Pilgrim Emmanuel Baptist Church, Nashville, Tennessee, guest of Representative Mary Pruitt.

Representative Mary Pruitt led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 97

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

The Speaker announced that Representative Long was excused because of personal business.

BILL RECALLED

Pursuant to **Rule No. 54**, Rep. Wood moved that the Clerk request the return of House Bill No. 1385 from the Senate, which motion prevailed.

REGULAR CALENDAR

***House Bill No. 0150** -- Motor Vehicles, Titling and Registration -- Authorizes special license plates for members of county legislative bodies. Amends TCA, Title 55, Ch. 4.

Rep. Hawkins moved that House Bill No. 150 be passed on third and final consideration.

Rep. Robinson (Davidson) moved to amend as follows:

Amendment No. 1

Amend House Bill No. 150 in Section 2 by inserting after the first sentence of the amendatory language the following:

Prior to the issuance of any such plate, a county legislative body shall authorize by a two-thirds (2/3) vote for members of that body to receive such plates. If a county legislative body approves application, then individual members of that body desiring such plates shall forward their applications and the appropriate fees to the department of revenue not later than August 31 in each year. The plates issued under this section shall be of a uniform design statewide, approved by the commissioner of revenue, and the costs of designing, manufacturing, and distributing such plates shall not exceed the additional fee.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Hawkins moved that House Bill No. 150, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	97
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

House Bill No. 1935 -- Health -- Creates Tennessee public school nurse program. Amends TCA, Titles 49, 68.

Rep. Duer moved that House Bill No. 1935 be passed on third and final consideration.

Rep. Starnes moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1935 by deleting the second and third sentences of Section 1(c)(1) and by substituting instead the following:

During future fiscal years, as additional funding is made available for such purpose within the state's annual appropriation act, new school nurse positions may be created within the Tennessee public school nurse program. However, in order to ensure orderly, efficient, and effective development, expansion of the Tennessee public school nurse program shall occur incrementally and shall not, in any given year, exceed the level at which quality of service or standards of supervisory control may be lowered.

AND FURTHER AMEND By inserting the following language as a new, appropriately numbered subdivision immediately following Section 1(b)(3) and by renumbering subsequent subdivisions accordingly:

() To assist and encourage local education agencies in developing and implementing efficient and effective policies and procedures to ensure parental notification, knowledge, and endorsement of school health services and programs, including, but not limited to, efficient and effective policies and procedures to require and obtain prior parental consent for student participation in the health services and programs offered by each local education agency; to fully encourage and maximize parental interest and involvement in all matters pertaining to the physical and mental health and well-being of students; and to ensure full parental access to the school health records of their children.

AND FURTHER AMEND By adding the following language to the amendatory language of Section 1 as a new, appropriately designated subsection:

() Each employee of the Tennessee public school nurse program, including each intern or resident employed pursuant to Section 1(c)(3) of this act, shall at all times remain in compliance with and shall fully abide by all applicable federal, state, and local statutes, rules, regulations, ordinances, and policies pertaining to abortion. Furthermore, each employee of the Tennessee public school nurse program, including each intern or resident employed pursuant to Section 1(c)(3) of this act, shall at all times remain in compliance with and shall fully abide by all applicable federal, state, and local statutes, rules, regulations, ordinances, and policies pertaining to birth control devices and contraceptives. Provided, however, while present on the property or premises of any local education agency or while otherwise engaged in the activities of the Tennessee public school nurse program, no such employee shall at any time make abortion referrals or otherwise advocate or encourage

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abortion nor prescribe any form of birth control device or contraceptive; and, provided further, it shall be the policy of the Tennessee public school nurse program, and of each employee engaged in the activities of the program including each intern or resident employed pursuant to Section 1(c)(3) of this act, to vigorously encourage and urge students to abstain from entering into any sexual relationship or activity.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved to amend as follows:

Amendment No. 2

Amend House Bill No. 1935 by deleting from Section 1(c)(2) the words, figures and symbols "one (1) permanent, full time, school nurse per three thousand (3,000) students" and by substituting instead the following:

one (1) permanent, full time, school nurse per three thousand (3,000) students, but in no case, less than one (1) permanent, full time, school nurse for each county wide system

On motion, Amendment No. 2 was adopted.

Rep. Severance moved to amend as follows:

Amendment No. 3

Amend House Bill No. 1935 by inserting the following language as a new section immediately preceding the effective date section and by appropriately renumbering such effective date section:

SECTION ____ . The provisions of this act shall not be construed to terminate the ability of a local education agency to locally employ and supervise school nurses who are not employees of the Tennessee public school nurse program.

On motion, Amendment No. 3 was adopted.

Thereupon, Rep. Duer moved that House Bill No. 1935, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0
Present and not voting.	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon,

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Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

Representatives present and not voting were: Gaia, Nance -- 2.

A motion to reconsider was tabled.

House Bill No. 2220 -- Aircraft and Airports -- Enacts the TLDA Airport Authority Loan Act of 1988. Amends TCA, Title 4, Ch. 31.

On motion, House Bill No. 2220 was made to conform with Senate Bill No. 1882.

On motion, **Senate Bill No. 1882**, on same subject, was substituted for House Bill No. 2220.

Rep. West moved passage of Senate Bill No. 1882 on third and final consideration, which motion prevailed by the following vote:

Ayes.....	95
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

House Bill No. 1850 -- Hospitals and Health Care Facilities -- Requires notice to nursing homes within specific times for imposition of Type A civil penalties. Amends TCA 68-11-813.

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On motion, House Bill No. 1850 was made to conform with Senate Bill No. 1558.

On motion, **Senate Bill No. 1558**, on same subject, was substituted for House Bill No. 1850.

Rep. Starnes moved passage of Senate Bill No. 1558 on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

House Bill No. 1571 -- Racing -- Removes state residency requirement of executive secretary of racing commission. Amends TCA 4-36-207.

On motion, House Bill No. 1571 was made to conform with Senate Bill No. 1697.

On motion, **Senate Bill No. 1697**, on same subject, was substituted for House Bill No. 1571.

Rep. Naifeh moved that Senate Bill No. 1697 be passed on third and final consideration.

Rep. Bivens moved the previous question, which motion prevailed.

Thereupon, Rep. Naifeh moved that House Bill No. 1697 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	75
Noes.	14
Present and not voting.	6

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Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Cain, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Drew, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hawkins, Head, Henry, Hillis, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Love, May, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Napier, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stallings, Starnes, Swann, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Yelton, Mr. Speaker Murray -- 75.

Representatives voting no were: Byrd, Duer, Hassell, Herron, Hobbs, McAfee, Moore (Shelby), Nance, Shirley, Stafford, Tankersley, Turner, C. (Shelby), Wolfe, Wood -- 14.

Representatives present and not voting were: Bushing, Clark, DePriest, Holcomb, Lawson, Odom -- 6.

A motion to reconsider was tabled.

House Bill No. 1808 -- County Officers -- Increases sheriff's fee for data processing services. Amends TCA 8-21-901.

On motion, House Bill No. 1808 was made to conform with Senate Bill No. 1709.

On motion, **Senate Bill No. 1709**, on same subject, was substituted for House Bill No. 1808.

Rep. Napier moved passage of Senate Bill No. 1709 on third and final consideration, which motion prevailed by the following vote:

Ayes.....	97
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

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House Bill No. 1452 -- Workers' Compensation -- Requires employer to select doctor from employee's county of residence or as near as possible for employer's examination. Amends TCA, Title 50, Ch. 6.

On motion, House Bill No. 1452 was made to conform with Senate Bill No. 1447.

On motion, **Senate Bill No. 1447**, on same subject, was substituted for House Bill No. 1452.

Rep. Jackson moved that Senate Bill No. 1447 be passed on third and final consideration.

Rep. Jackson moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 1447 by deleting the amendatory language of Section 1 and substituting instead the following:

Provided however that the employer shall make every effort to select a physician from the employee's county of residence to conduct the examination. If in the employee's county of residence there is no physician with the appropriate skill and training to examine the employee then the employer shall select an appropriate physician from a county which is located as near as possible to the employee's county of residence.

Mr. Speaker Murray relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

Rep. Duer moved the previous question, which motion failed.

Rep. Clark moved the previous question, which motion prevailed.

Thereupon, Rep. Jackson renewed his motion to adopt Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	59
Noes.....	35

Representatives voting aye were: Bell, Bragg, Burnett, Bushing, Clark, Collier, Copeland, Cross, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Good, Hawkins, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, Kisber, Lawson, Love, McAfee, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Phillips, Pruitt, Purcell, Ridgeway, Robinson (Hamilton), Shirley, Stallings, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Williams, Winningham, Wix, Wood, Mr. Speaker Murray -- 59.

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Representatives voting no were: Bewley, Bivens, Buck, Byrd, Cain, Chiles, Coffey, Curlee, Davis (Knox), Frensley, Garrett, Harrill, Hassell, Head, Henry, Kent, May, Montgomery, Moody, Nance, Peroulas, Rhinehart, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Stafford, Swann, Tankersley, Webb, West, Wheeler, Whitson, Wolfe, Yelton -- 35.

Rep. Jackson moved that Senate Bill No. 1447 as amended be reset on the Calendar for Thursday, April 21, 1988, which motion prevailed.

House Bill No. 2237 -- Safety, Dept. of -- Allows commissioner discretion in suspensions for failure to timely file accident reports. Amends TCA 55-12-1004.

On motion, House Bill No. 2237 was made to conform with Senate Bill No. 1373.

On motion, **Senate Bill No. 1373**, on same subject, was substituted for House Bill No. 2237.

Rep. Gaia moved passage of Senate Bill No. 1373 on third and final consideration, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

House Bill No. 0742 -- District Attorneys -- Adds an assistant district attorney general position to 22nd judicial district. Amends TCA 16-2-506.

On motion, House Bill No. 742 was made to conform with Senate Bill No. 843.

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On motion, **Senate Bill No. 843**, on same subject, was substituted for House Bill No. 742.

Rep. Moore (Lawrence) moved passage of Senate Bill No. 843 on third and final consideration, which motion prevailed by the following vote:

Ayes.....	98
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

House Bill No. 2075 -- Business and Commerce -- Authorizes certain new procedures, damages and charges relative to collection of bad checks. Amends TCA, Title 39, Ch. 3, Title 47.

On motion, House Bill No. 2075 was made to conform with Senate Bill No. 2022.

On motion, **Senate Bill No. 2022**, on same subject, was substituted for House Bill No. 2075.

Rep. Scruggs moved that Senate Bill No. 2022 be passed on third and final consideration.

Rep. Herron moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 2022 by deleting in its entirety subdivision (B) from the amendatory language of Section 2, and by substituting instead the following:

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(B) interest at the rate of ten percent (10%) per annum on the face amount or the remaining unpaid balance of the check or draft from the date of its execution until payment is made in full;

AND FURTHER AMEND by inserting the word "reasonable" in subdivision (C) of the amendatory language of Section 2 between the word "any" and the word "service".

AND FURTHER AMEND by deleting in its entirety subdivision (a)(2) from the amendatory language of Section 5, and by substituting instead the following:

(2) interest at the rate of ten percent (10%) per annum on the face amount or the remaining unpaid balance of the check or draft from the date of its execution until payment is made in full;

AND FURTHER AMEND by deleting from amendatory subdivision (a)(3) of Section 5 the words "any services charges" and by substituting instead the words "any reasonable service charges".

AND FURTHER AMEND by deleting from amendatory subdivision (a)(4) of Section 5 the words "any civil action which may be brought", and by substituting instead the words "the civil action which is brought".

AND FURTHER AMEND by deleting from subsection (f) of the amendatory language of Section 5 the words "and the insufficiency", and by substituting instead the words "or if the insufficiency".

AND FURTHER AMEND by deleting in its entirety subdivision (a)(5) from the amendatory language in Section 5 and substituting instead the following:

(5) reasonable attorney fees incurred by the holder.

AND FURTHER AMEND by deleting the first paragraph of subsection (a) from the amendatory language in Section 5, and substituting instead the following:

(a) A person who, having executed and delivered to another person a check or draft drawn on or payable at a bank or other financial institution, with fraudulent intent either stops payment on the check or draft, or allows the check or draft to be dishonored by a financial institution because of lack of funds, failure to have an account, or lack of an authorized signature of the drawer or necessary endorser is, if found liable to the holder on the check or draft in a civil action, liable for:

AND FURTHER AMEND by deleting the first sentence of subdivision (d) from the amendatory language in Section 5 and substituting instead the following:

(d) If the person who executed and delivered the check does not pay to the holder the full amount of the check or draft within thirty (30) days following certified mailing of written notice that the check or draft has not

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been paid, then treble damages will be sought, and upon finding of fraudulent intent, the person is liable for; and the court shall award judgment for treble the face amount of the check or draft.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Scruggs moved that Senate Bill No. 2022, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

House Bill No. 2025 -- Insurance Companies, Agents, Brokers -- Requires payment of assigned insurance benefits in certain circumstances. Amends TCA 68-11-219.

On motion, House Bill No. 2025 was made to conform with Senate Bill No. 1900.

On motion, **Senate Bill No. 1900**, on same subject, was substituted for House Bill No. 2025.

Rep. Kisber moved passage of Senate Bill No. 1900 on third and final consideration, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared,

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Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

***House Joint Resolution 0485 -- Memorials, Government Officials -- Encourages posting of signs promoting safety belt use.**

Rep. Robinson (Davidson) moved that House Joint Resolution No. 485 be adopted, which motion prevailed by the following vote:

Ayes.....	95
Noes.....	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

Representative voting no was: Chiles -- 1.

A motion to reconsider was tabled.

House Bill No. 1618 -- Correctional Programs -- Permits commissioner of correction to test department employees for illegal drug use under certain circumstances. Amends TCA, Title 41, Ch. 1, Pt. 1.

Rep. Duer moved that House Bill No. 1618 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1618 by deleting SECTION 1 in its entirety and by substituting in its place the following:

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SECTION 1. Tennessee Code Annotated, Title 41, Chapter 1, Part 1, is amended by adding the following new section:

SECTION __.

(a) Notwithstanding any provisions of the law to the contrary, the commissioner of correction shall have the authority to require security personnel employed by the department of correction to submit to drug tests. If the result of the initial test is positive, the department shall administer a different reliable confirmatory test for the purpose of determining whether such employee is or has in the immediate past twenty-four (24) hours used a controlled substance which caused impairment of his or her work performance.

(b) Before the commissioner can require any employee to submit to the drug tests authorized by subsection (a), the commissioner of correction must have a reasonable suspicion based upon specific objective facts that the employee's faculties are impaired on the job and such impairment presents a clear and present danger to the physical safety of the employee, another employee, or the security of the institution. Such specific objective facts shall be provided the employee in writing prior to requiring tests. The employee subject to the tests shall be given the opportunity to explain the occurrence of suspicious behavior, and viable explanation shall vitiate the requirement that the employee submit to the tests.

(c) If the results of the drug tests are confirmed pursuant to subsection (a), the employee shall be provided a copy of the tests results, including confirmatory tests. All tests results, including screening and confirmatory tests, must be reviewed by a qualified individual meeting certification requirements of a recognized board of toxicology. All test results shall identify the specific drugs or metabolites tested and found whether positive or negative. The commissioner of correction shall require precautionary measures to ensure the confidentiality of all testing information and results and shall not release any testing information to anyone other than the tested employee without written permission of the tested employee.

The commissioner of correction shall ensure that the testing of controlled substances shall not be used to test for any other medical or bodily condition. The commissioner of correction shall provide the tested employee a reasonable opportunity to rebut or explain the test results.

(d) If confirmatory tests verify the use of a controlled substance affecting the employees job performance pursuant to subsections (a), (b), and (c), the commissioner of correction shall be empowered to take appropriate disciplinary action based only upon the employees job performance and pursuant to Tennessee Code Annotated, Title 8, Chapter 30. The commissioner of correction shall provide employee counseling and rehabilitation with reasonable accommodation and support of the rehabilitation program. Following successful completion of a rehabilitation program and two (2) years of unimpaired job performance, any reference to testing or rehabilitation

shall be expunged from any and all records. Reasonable efforts shall be made to safeguard the privacy of any employee required to enroll in a rehabilitation program.

(e) If the initial or confirmatory test results are negative, any information, including the results of such test, shall be expunged from all files and records after being made available to the tested employee.

(f) The commissioner of correction is responsible for all costs associated with drug tests administered at the request of the department of correction.

(g) Prior to implementation of any testing program, the department of correction shall promulgate a specific, written policy pursuant to the Uniform Administrative Procedures Act authorizing the tests, procedures, confidentiality, and expungement provision of this section. The policy shall include the requirement that the employee have an opportunity to have an opportunity to have an independent analysis of the sample conducted by the laboratory of the employee's choice.

(h) If any employee refuses to submit to the test, the employee shall have the option of entering a rehabilitation program pursuant to subsection (d).

(i) The commissioner of correction shall have the burden of proving that all provisions of the foregoing section have been followed.

(j) If any provision of this section shall be rendered unconstitutional by the United States Constitution or the Tennessee Constitution or invalid by the laws of the United States or the laws of the state of Tennessee, the unconstitutional or invalid provision of this section may be deleted by the courts if the deletion will not destroy the integrity, intent, or function of this section.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Duer moved that House Bill No. 1618, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	95
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C.

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(Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

House Bill No. 2143 -- Public Records -- Makes public all records received by Department of Economic and Community Development after certain period. Amends TCA 4-17-403, 10-7-504.

Further consideration of House Bill No. 2143, previously considered on April 7, 1988, at which time Amendments Nos. 1, as amended, and 2 were adopted.

Thereupon, Rep. Purcell moved that House Bill No. 2143, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	3

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odum, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

Representatives voting no were: Chiles, Duer, Stafford -- 3.

A motion to reconsider was tabled.

House Bill No. 1423 -- Sunset Laws -- Extends termination date of the Department of Agriculture. Amends TCA, Title 4, Chs. 3, 7, 29, 31; Title 5, Ch. 9, Pt. 1; Title 8, Chs. 23, 36; Title 11, Chs. 4, 26; Title 39, Ch. 3; Titles 43, 44, 47; Title 49, Ch. 50; Title 53; Title 57, Chs. 3, 7, 8; Title 62, Ch. 21; Title 63, Ch. 12; Title 64, Ch. 1; Title 68, Chs. 8, 14, 27; Title 69, Chs. 6, 7; Title 71, Ch. 5.

On motion, House Bill No. 1423 was made to conform with Senate Bill No. 1386.

On motion, **Senate Bill No. 1386**, on same subject, was substituted for House Bill No. 1423.

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Rep. King moved that Senate Bill No. 1386 be passed on third and final consideration.

Rep. King moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 1386 by adding the following sections to immediately precede the effective date section and by renumbering the effective date section accordingly:

SECTION ____ Tennessee Code Annotated, Section 43-1-102, is repealed.

SECTION ____ Tennessee Code Annotated, Section 43-1-103, is repealed.

SECTION ____ Tennessee Code Annotated, Section 43-1-104, is repealed.

SECTION ____ Tennessee Code Annotated, Section 43-1-105, is repealed.

SECTION ____ Tennessee Code Annotated, Section 43-1-106, is amended by deleting items (1) through (4), inclusive, in their entirety and by renumbering the remaining items accordingly.

SECTION ____ Tennessee Code Annotated, Section 43-1-107, is repealed.

SECTION ____ Tennessee Code Annotated, Section 43-1-108, is repealed.

SECTION ____ Tennessee Code Annotated, Section 43-1-109, is repealed.

SECTION ____ Tennessee Code Annotated, Section 43-1-110, is repealed.

SECTION ____ Tennessee Code Annotated, Section 43-1-201, is repealed.

SECTION ____ Tennessee Code Annotated, Title 43, Chapter 1, Part 3, is repealed.

SECTION ____ Tennessee Code Annotated, Title 43, Chapter 1, Part 4, is repealed.

SECTION ____ If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to that end, the provisions of this act are declared to be severable.

On motion, Amendment No. 1 was adopted.

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Rep. King moved to amend as follows:

Amendment No. 2

Amend Senate Bill 1386 by deleting in Section 5 the language "Tennessee Code Annotated, Section 43-8-202" and by substituting instead the language "Tennessee Code Annotated Section 43-8-302".

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. King moved that Senate Bill No. 1386, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	95
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

***House Joint Resolution 0594 -- Memorials, Government Officials --**
Requests study of lock improvements on upper Tennessee River.

Rep. Ridgeway moved that House Joint Resolution No. 594 be adopted, which motion prevailed by the following vote:

Ayes.....	93
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller,

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Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

***House Joint Resolution 0595** -- Memorials, Government Officials -- Encourages support and assistance to non-main line rail operations.

Rep. Ridgeway moved that House Joint Resolution No. 595 be adopted, which motion prevailed by the following vote:

Ayes.....	94
Noes.....	0

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

***House Joint Resolution 0596** -- Memorials, Government Officials -- Requests Department of Transportation to study railroad rights-of-way for mass transit use in certain areas.

Rep. Ridgeway moved that House Joint Resolution No. 596 be adopted, which motion prevailed by the following vote:

Ayes.....	95
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May,

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McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

House Bill No. 2112 -- Municipal Government -- Places certain additional requirements on not-for-profit corporation acting for certain local governmental entities pursuant to TCA Title 7, Chapter 54, Part 1. Amends TCA, Title 7, Ch. 54, Pt. 1.

Further consideration of House Bill No. 2112, previously considered on April 4 and April 7, 1988, at which time Amendments Nos. 1, 2, as amended, and 3 were adopted.

Rep. Miller moved that House Bill No. 2112 be passed on third and final consideration, as amended.

Rep. Miller moved to amend as follows:

Amendment No. 4

Amend House Bill No. 2112 by deleting in its entirety all the language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 7-54-103, is amended by adding the following language to the end of subsection (e):

Fees, rates or charges established, levied and collected for services authorized herein shall be construed to be taxes and shall only be levied in accordance with the provisions of this section. Such fees, rates or charges shall only be levied and collected if both the municipality and the county in which such municipality is located approve such fees, rates or charges in accordance with the provisions of this section. The municipality shall initiate the levying of such fees, rates or charges by introducing an ordinance to levy such fees, rates or charges in the municipal legislative body.

No such ordinance authorizing such fees, rates or charges shall take effect unless it is approved by a two-thirds (2/3) vote of the municipal legislative body at two (2) consecutive, regularly scheduled meetings or unless it is approved by a majority of the number of qualified voters of the municipality voting in an election on the question of whether or not the fees, rates or charges should be levied.

If there is a petition of ten percent (10%) of the qualified voters who voted in the municipality in the last gubernatorial election which is filed with the county election commission within thirty (30) days of final approval of such

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ordinance by the municipal legislative body, then the county election commission shall call an election of the question whether or not the fees, rates or charges should be levied in accordance with the provisions of this section. The governing body shall direct the county election commission to call such election to be held in a regular election or in a special election for the purpose of approving or rejecting such levy. The ballots used in such election shall have printed on them the substance of such ordinance and the voters shall vote for or against its approval.

The votes cast on the question shall be canvassed and the results proclaimed by the county election commissioners and certified by them to the municipal governing body.

The qualifications of voters voting on the question shall be the same as those required for participation in general elections.

All laws applicable to general elections shall apply to the determination of the approval or rejection of this levy.

Within thirty (30) days after the final adoption of such ordinance by a municipal legislative body or by the people voting in a referendum to authorize such fees, rates or charges, the legislative body of the county in which such municipality is located shall introduce a resolution levying the fees, rates or charges adopted in the municipal ordinance.

No such resolution authorizing fees, rates or charges shall take effect unless it is approved by a two-thirds (2/3) vote of the county legislative body at two (2) consecutive, regularly scheduled meetings or unless it is approved by a majority of the number of qualified voters of the county voting in an election on the question of whether or not the fees, rates or charges should be levied.

If there is a petition of ten percent (10%) of the qualified voters who voted in the county in the last gubernatorial election which is filed with the county election commission within thirty (30) days of final approval of such resolution by the county legislative body, then the county election commission shall call an election on the question of whether or not the fees, rates or charges should be levied in accordance with the provisions of the section.

The county legislative body shall direct the county election commission to call such election to be held in a regular election or in a special election for the purpose of approving or rejecting such levy.

The ballots used in such election shall have printed on them the substance of such resolution and the voters shall vote for or against its approval.

The votes cast on the question shall be canvassed and the results proclaimed by the county election commissioners and certified by them to the county legislative body.

The qualifications of voters voting on the question shall be the same as those required for participation in general elections.

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All laws applicable to general elections shall apply to the determination of the approval or rejection of this tax levy.

SECTION 2. Tennessee Code Annotated, Section 7-54-103(e), is amended by designating the existing language as (e)(1), and by adding the following language to be designated as (e)(2):

(e)(2) The governing body of any municipality collecting or disposing of solid waste, constructing, owning, or operating an energy production facility shall levy and collect such fees, rates or charges for the services, facilities and commodities of its energy production facility system, and shall prescribe penalties for the nonpayment thereof.

The governing body of such municipality shall have the authority to revise such fees, rates or charges from time to time whenever necessary to insure that such energy production facility system shall be and always remain self-supporting.

SECTION 3. The provisions of this act shall not apply to any county having a metropolitan form of government with a population of not less than four hundred fifty thousand (450,000) nor greater than five hundred thousand (500,000) according to the 1980 federal census or any subsequent federal census.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Bragg moved the previous question, which motion prevailed.

On motion, Amendment No. 4 was adopted.

Thereupon, Rep. Miller moved that House Bill No. 2112, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

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***House Bill No. 1638** -- Gas, Petroleum Products, Volatile Oils -- Prohibits below cost gasoline sales by dealer and creates penalties. Amends TCA, Title 47, Ch. 25, Pt. 6.

Rep. Kisber moved that House Bill No. 1638 be passed on third and final consideration.

Rep. Tanner moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1638 by deleting items (8) and (9) from the amendatory language of Section 1 in their entirety and substituting instead the following new items:

(8) "Retailer" means a dealer as defined in this section;

(9) "Cost to the retailer" means the sum of:

(A) The lower of:

(i) The purchase price of petroleum or related products to the retailer, less all trade discounts, allowances or rebates actually granted to the retailer; or

(ii) The replacement cost of petroleum or related products at the time of retail sale in the quantity last purchased by the retailer; plus

(B) The cost of transportation of petroleum or related products from the point of purchase by the retailer to the retail location; plus

(C) All applicable federal, state or local motor fuel or sales taxes not already included in the purchase price to the retailer.

(D) The reasonable cost of overhead at that location.

AND FURTHER AMEND by deleting the first sentence of the amendatory language in designated Section 47-25-627(a) of Section 4 in its entirety and substituting instead the following new sentence:

No dealer shall make, or offer or advertise to make sales at retail at below cost to the retailer, where the effect is to injure or destroy competition or substantially lessening competition, unless such sales at retail are exempt under Tennessee Code Annotated, Section 47-25-204.

AND FURTHER AMEND by adding the following new subsection (c) to Section 4 of the bill and redesignating the subsections accordingly:

(c) No vertically integrated producer may sell petroleum products to a dealer for more than it sells such products at its retail outlet plus the reasonable cost of overhead at that location.

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AND FURTHER AMEND by inserting immediately before the effective date section the following new section and numbering the sections accordingly:

Section __. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Rep. Kisber moved to amend as follows:

Amendment No. 1 to Amendment No. 1

Amend House Bill No. 1638 by deleting items (8) and (9) from the amendatory language of Section 1 in their entirety and substituting instead the following new items:

(8) "Retailer" means a dealer as defined in this section;

(9) "Cost to the retailer" means the sum of:

(A) The lower of:

(i) The purchase price of petroleum or related products to the retailer, less all trade discounts, allowances or rebates actually granted to the retailer; or

(ii) The replacement cost of petroleum or related products at the time of retail sale in the quantity last purchased by the retailer; plus

(B) The cost of transportation of petroleum or related products from the point of purchase by the retailer to the retail location; plus

(C) All applicable federal, state or local motor fuel or sales taxes not already included in the purchase price to the retailer.

AND FURTHER AMEND by deleting the first sentence of the amendatory language in designated Section 47-25-627(a) of Section 4 in its entirety and substituting instead the following new sentence:

* No dealer shall make, or offer or advertise to make sales at retail at below cost to the retailer, where the effect is to injure or destroy competition or substantially lessening competition, unless such sales at retail are exempt under Tennessee Code Annotated, Section 47-25-204.

AND FURTHER AMEND by adding the following new subsection (c) to Section 4 of the bill and redesignating the subsections accordingly:

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(c) No vertically integrated producer shall sell at retail any petroleum products for a price less than (a) the highest wholesale price charged by the vertically integrated producer within the past three (3) days for petroleum products sold by the vertically integrated producer for resale; plus (b) a reasonable cost of daily business using generally accepted accounting principles; plus (c) taxes; and (d) transportation.

AND FURTHER AMEND by inserting immediately before the effective date section the following new section and numbering the sections accordingly:

Section __. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Rep. Ivy moved the previous question, which motion prevailed.

Thereupon, Rep. Tanner moved the adoption of Amendment No. 1, as amended, which motion prevailed.

Rep. Bragg moved the previous question on House Bill No. 1638, which motion failed by the following vote:

Ayes.	54
Noes.	39
Present and not voting.	1

Representatives voting aye were: Bewley, Bragg, Burnett, Bushing, Byrd, Cain, Clark, Collier, Davis (Cocke), Davis (Gibson), DePriest, Dixon, Drew, Ellis, Gaia, Garrett, Good, Head, Herron, Hillis, Hobbs, Holt, Hurley, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kisber, Lawson, Love, May, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Phillips, Pruitt, Purcell, Robinson (Davidson), Robinson (Washington), Severance, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), West, Wix, Yelton, Mr. Speaker Murray -- 54.

Representatives voting no were: Bell, Bivens, Buck, Chiles, Coffey, Copeland, Crain, Cross, Curlee, Davidson, Davis (Knox), Duer, Frensley, Harrill, Hassell, Hawkins, Henry, Holcomb, Jared, King, McAfee, Montgomery, Moody, Nance, Peroulas, Rhinehart, Ridgeway, Robinson (Hamilton), Scruggs, Shirley, Swann, Tankersley, Turner, L. (Shelby), Ussery, Wheeler, Whitson, Williams, Wolfe, Wood -- 39.

Representative present and not voting was: Kernell -- 1.

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Rep. Ivy moved the previous question on House Bill No. 1638, which motion failed by the following vote:

Ayes.	56
Noes.	36
Present and not voting.	1

Representatives voting aye were: Bewley, Bragg, Burnett, Byrd, Cain, Clark, Curlee, Davis (Cocke), Davis (Gibson), DePriest, Dixon, Drew, Ellis, Frensley, Gaia, Garrett, Good, Hassell, Head, Henry, Herron, Hillis, Hobbs, Holt, Hurley, Ivy, Jackson, Jared, Kent, Kisber, Lawson, Love, May, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Phillips, Pruitt, Purcell, Robinson (Davidson), Severance, Shirley, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, West, Whitson, Winningham, Wix, Yelton -- 56.

Representatives voting no were: Bell, Bivens, Buck, Bushing, Chiles, Coffey, Collier, Copeland, Cross, Davidson, Davis (Knox), Duer, Harrill, Hawkins, Holcomb, Jones, R. (Shelby), Jones, U. (Shelby), King, McAfee, Montgomery, Moody, Nance, Odom, Peroulas, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Swann, Tankersley, Turner, L. (Shelby), Wheeler, Williams, Wolfe, Wood -- 36.

Representative present and not voting was: Kernell -- 1.

Rep. Tanner moved the previous question on House Bill No. 1638, which motion failed by the following vote:

Ayes.	62
Noes.	30
Present and not voting.	3

Representatives voting aye were: Bewley, Bragg, Byrd, Cain, Clark, Collier, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Ellis, Gaia, Garrett, Good, Hassell, Head, Henry, Herron, Hillis, Hobbs, Holt, Hurley, Ivy, Jackson, Jared, Kent, Kisber, Lawson, Love, May, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Phillips, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, West, Wheeler, Whitson, Winningham, Wix, Yelton, Mr. Speaker Murray -- 62.

* Representatives voting no were: Bell, Bivens, Buck, Chiles, Coffey, Copeland, Crain, Cross, Davis (Knox), Duer, Frensley, Harrill, Hawkins, Holcomb, Jones, R. (Shelby), Jones, U. (Shelby), King, McAfee, Montgomery, Moody, Nance, Odom, Peroulas, Scruggs, Swann, Tankersley, Turner, L. (Shelby), Williams, Wolfe, Wood -- 30.

Representatives present and not voting were: Bushing, Kernell, Rhinehart -- 3.

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Rep. King moved to amend as follows:

Amendment No. 2

Amend House Bill No. 1638 by adding before the last section the following language as a new section:

Section ____ Nothing in this act shall apply to sales of regular leaded gasoline sold at retail by a dealer.

Rep. Kisber moved to table Amendment No. 2, which motion prevailed by the following vote:

Ayes.	74
Noes.	16
Present and not voting.	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Burnett, Byrd, Cain, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Garrett, Good, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Love, May, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, West, Wheeler, Williams, Winningham, Wix, Wood, Mr. Speaker Murray -- 74.

Representatives voting no were: Buck, Davis (Cocke), Frensley, Gaia, Harrill, Jones, U. (Shelby), King, McAfee, Moody, Purcell, Scruggs, Tankersley, Turner, L. (Shelby), Whitson, Wolfe, Yelton -- 16.

Representative present and not voting was: Pruitt -- 1.

Rep. West moved the previous question on House Bill No. 1638, which motion failed by the following vote:

Ayes.	59
Noes.	33
Present and not voting.	2

Representatives voting aye were: Bewley, Bragg, Burnett, Bushing, Byrd, Cain, Collier, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DePriest, Dixon, Drew, Ellis, Gaia, Garrett, Good, Hassell, Head, Herron, Hillis, Hobbs, Holt, Hurley, Ivy, Jared, Kent, Kisber, Lawson, Love, May, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, West, Wheeler, Whitson, Winningham, Wix, Yelton -- 59.

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Representatives voting no were: Bell, Bivens, Buck, Clark, Coffey, Copeland, Cross, Davis (Knox), DeBerry, Duer, Frensley, Harrill, Hawkins, Henry, Holcomb, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), King, McAfee, Montgomery, Moody, Nance, Odom, Peroulas, Scruggs, Stafford, Swann, Tankersley, Turner, L. (Shelby), Williams, Wolfe, Wood -- 33.

Representatives present and not voting were: Crain, Kernell -- 2.

Rep. Robinson (Davidson) moved the previous question on House Bill No. 1638, which motion prevailed by the following vote:

Ayes.	65
Noes.	29

Representatives voting aye were: Bell, Bewley, Bragg, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Good, Hassell, Head, Herron, Hillis, Hobbs, Holt, Hurley, Ivy, Jared, Kent, Kernell, Kisber, Lawson, Love, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, West, Whitson, Winningham, Wix, Yelton, Mr. Speaker Murray -- 65.

Representatives voting no were: Bivens, Buck, Chiles, Copeland, Davis (Knox), Drew, Duer, Frensley, Harrill, Hawkins, Henry, Holcomb, Jackson, Jones, U. (Shelby), King, May, McAfee, Montgomery, Moody, Nance, Peroulas, Scruggs, Stafford, Swann, Tankersley, Turner, L. (Shelby), Williams, Wolfe, Wood -- 29.

Thereupon, Rep. Kisber moved that House Bill No. 1638, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	52
Noes.	44

Representatives voting aye were: Bell, Bragg, Burnett, Byrd, Cain, Clark, Collier, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Garrett, Good, Head, Henry, Herron, Hobbs, Holt, Ivy, Jackson, Jared, Kent, Kernell, Kisber, Lawson, Love, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Phillips, Pruitt, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), West, Wheeler, Yelton, Mr. Speaker Murray -- 52.

Representatives voting no were: Bewley, Bivens, Buck, Bushing, Chiles, Coffey, Copeland, Crain, Cross, Curlee, Davis (Cocke), Davis (Knox), Frensley, Gaia, Harrill, Hassell, Hawkins, Hillis, Holcomb, Hurley, Jones, R. (Shelby), Jones, U. (Shelby), King, May, McAfee, Montgomery, Moody, Nance, Odom, Peroulas, Purcell, Rhinehart, Ridgeway, Scruggs, Swann, Tankersley, Turner, L. (Shelby), Ussery, Whitson, Williams, Winningham, Wix, Wolfe, Wood -- 44.

A motion to reconsider was tabled.

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House Bill No. 2354 -- Motor Vehicles -- Requires trucks exceeding speed limits to be reported to department of safety. Amends TCA 55-8-152.

On motion, House Bill No. 2354 was made to conform with Senate Bill No. 2357.

On motion, **Senate Bill No. 2357**, on same subject, was substituted for House Bill No. 2354.

Rep. Jackson moved passage of Senate Bill No. 2357 on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

***House Bill No. 1127 -- Partnerships --** Revises certain provisions concerning limited partnerships. Amends TCA, Title 61, Ch. 2.

Rep. Dixon moved that House Bill No. 1127 be reset on the Calendar for Thursday, April 21, 1988, which motion prevailed.

***House Joint Resolution 0598 -- Memorials, Government Officials --** Requests evaluation of economic impact of airports.

Rep. Ridgeway moved that House Joint Resolution No. 598 be adopted.

Rep. Yelton moved to amend as follows:

Amendment No. 1

Amend House Joint Resolution No. 598 by deleting the period at the end of the first resolving clause and adding the following:

, and to make a report of their findings and recommendations to the Ninety-Sixth General Assembly by January, 1989.

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On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Ridgeway moved that House Joint Resolution No. 598, as amended, be adopted, which motion prevailed by the following vote:

Ayes.....	93
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odorn, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Resolution No. 0127 -- Memorials, Public Service -- Honors Zimbabwe U. Matavou for outstanding service to African-American community in Knoxville.

House Resolution No. 0128 -- Memorials, Public Service -- Recognizes George Carter of Knoxville and his Western Heights 8-13 Club.

House Resolution No. 0129 -- Memorials, Public Service -- Honors Helen Ashe for great work for needy.

House Joint Resolution 0687 -- Memorials, Sports -- Honors Collinwood High School girls' basketball team for winning TSSAA Class A state championship.

House Joint Resolution 0689 -- Memorials, Condolence -- Honors the memory of Lt. Col. Don E. Hagler.

House Joint Resolution 0690 -- Memorials, Public Service -- Honors Tennessee Gas Association on 25th year of operation.

House Joint Resolution 0692 -- Memorials, Recognition and Thanks -- Honors Carla Sorrells, 1988 legislative intern.

House Joint Resolution 0695 -- Memorials, Recognition and Thanks -- Honors Duane Hickey, 1988 legislative intern.

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House Joint Resolution 0696 -- Memorials, Public Service -- Commends Chattanooga Girls' Club for participation in community awareness program.

House Joint Resolution 0697 -- Memorials, Retirement -- Honors Robert L. Brewer, Jr. on retirement from Sycamore View Church of Christ.

Senate Joint Resolution 0438 -- Memorials, Sports -- Honors Coach Robert High and Chattanooga Brainerd High School boys' basketball team on winning TSSAA Class AAA state tournament.

Senate Joint Resolution 0440 -- Memorials, Sports -- Honors Coach Ronnie Snavelly and Unaka High School boys' basketball team on great season.

Senate Joint Resolution 0441 -- Memorials, Sports -- Congratulates Memphis East High School boys' basketball team on winning TSSAA Class AA state tournament.

Senate Joint Resolution 0442 -- Memorials, Recognition and Thanks -- Honors Lisa Hogue for services as 1988 legislative intern.

Senate Joint Resolution 0445 -- Memorials, Professional Achievement -- Congratulates Martha Dixon on selection as "Outstanding Hereford Woman".

Senate Joint Resolution 0458 -- Memorials, Public Service -- Commends Joy Holt Walker for contributions to Chattanooga community.

House Bill No. 2501 -- Hardin County -- Levies hotel/motel tax.

Rep. Phillips moved that all House Bills having companion Senate Bills that are on the Clerk's desk be conformed and substituted for the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.....	95
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton),

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Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

MESSAGE FROM SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 1385, as requested.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***House Bill No. 1385** -- Motor Vehicles, Titling and Registration -- Allows surviving spouse to retain POW plate. Similar to *SB 1562/HB 1466. Amends TCA 55-4-235.

Rep. Wood moved to lift from the table the motion to reconsider House Bill No. 1385, which motion prevailed.

Rep. Wood moved to reconsider House action in passing House Bill 1385, which motion prevailed.

***Senate Bill No. 1562** -- Motor Vehicles, Titling and Registration -- Allows surviving spouse to retain POW plate. Similar to *HB 1385.

On motion, House Bill No. 1385 was made to conform with Senate Bill No. 1562.

On motion, **Senate Bill No. 1562**, on same subject, was substituted for House Bill No. 1385.

Rep. Wood moved passage of Senate Bill No. 1562 on third and final consideration, which motion prevailed by the following vote:

Ayes.....	94
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Millier, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C.

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(Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

BILL RE-REFERRED

Rep. Phillips moved that House Bill No. 2250 be recalled from the Calendar and Rules Committee and referred to the Finance, Ways, and Means Committee.

RULES SUSPENDED

Rep. Turner (Hamilton) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 728 out of order, which motion prevailed.

House Joint Resolution 0728 -- Memorials, Sports -- Congratulates Brainerd High School boys' basketball team on winning TSSAA Class AAA title. by *Turner B.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Turner (Hamilton), the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Turner (Hamilton) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 729 out of order, which motion prevailed.

House Joint Resolution 0729 -- Memorials, Public Service -- Honors Judge Dixie Smith, recipient of the Service Award from the Chattanooga Association on Young Children. by *Turner B, Starnes, Robinson C B, Wood, McAfee.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Turner (Hamilton), the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Davis (Gibson) moved to suspend **Rule 81 (1)**, relative to the time of placing bills on notice in Committee, so that House Bill 2250 can be heard by the Finance, Ways and Means Committee on Tuesday, April 19, 1988, which motion prevailed.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 1723; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

NOTICE TO ACT ON SENATE AMENDMENTS

Pursuant to Rule No. 59, the sponsors gave notice of intent to consider the following measure from the Senate on Monday, April 18, 1988:

House Bill No. 1723: Rep. Yelton

House Bill No. 1922: Rep. Ridgeway

House Bill No. 2011: Rep. Pruitt

House Bill No. 2175: Rep. Naifeh

RULES SUSPENDED

Pursuant to Rule No. 78, Representative Ussery moved that House Bill No. 2482, having been filed after the tenth legislative day, be brought to the floor of the House and placed on the calendar for Thursday, April 21, 1988, which motion prevailed by the following vote:

Ayes.	85
Noes.	0
Present and not voting.	4

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, May, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 85.

Representatives present and not voting were: Purcell, Robinson (Hamilton), Turner, L. (Shelby), Mr. Speaker Murray -- 4.

A motion to reconsider was tabled.

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MOTION

Rep. Naifeh moved that session be moved to 4:00 p.m., Monday, April 18, which motion failed by the following vote:

Ayes.	44
Noes.	44

Representatives voting aye were: Bewley, Bivens, Bushing, Cain, Clark, Collier, Crain, Davis (Gibson), DePriest, Ellis, Frensey, Good, Hassell, Hawkins, Head, Herron, Hillis, Holcomb, Holt, Hurley, Jackson, Lawson, Montgomery, Moody, Moore (Shelby), Naifeh, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Severance, Stafford, Swann, Turner (Hamilton), Ussery, Webb, West, Whitson, Williams, Wix, Wolfe, Yelton, Mr. Speaker Murray -- 44.

Representatives voting no were: Bell, Bragg, Buck, Burnett, Byrd, Chiles, Coffey, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), Dixon, Drew, Duer, Garrett, Harrill, Henry, Hobbs, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, May, McAfee, Miller, Moore (Lawrence), Nance, Napier, Odom, Peroulas, Phillips, Robinson (Hamilton), Scruggs, Stallings, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Winningham, Wood -- 44.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1385: Rep. Bushing, Davidson and Davis (Knox) added as prime sponsors.

House Bill No. 1768: Rep. Coffey added as a prime sponsor.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 0130 -- Memorials, Public Service -- Recognizes Birdsong Marina on Kentucky Lake for contribution to recreation. by *Collier.

The Speaker referred House Joint Resolution No. 130 to the Calendar and Rules Committee.

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***House Joint Resolution 0704 -- Memorials, Sports -- Congratulates Memphis Prep varsity boys' basketball team. by *Shirley.**

The Speaker referred House Joint Resolution No. 704 to the Calendar and Rules Committee.

House Joint Resolution 0705 -- Memorials, Sports -- Congratulates Waverly Central High School girls' basketball team. by *Collier.

The Speaker referred House Joint Resolution No. 705 to the Calendar and Rules Committee.

House Joint Resolution 0706 -- Memorials, Sports -- Congratulates Waverly Central High School boys' basketball team. by *Collier.

The Speaker referred House Joint Resolution No. 706 to the Calendar and Rules Committee.

House Joint Resolution 0707 -- Memorials, Public Service -- Honors Jim Floyd for community service. by *Stafford.

The Speaker referred House Joint Resolution No. 707 to the Calendar and Rules Committee.

House Joint Resolution 0708 -- Memorials, Personal Achievement -- Honors Tammie Wampler for community achievement through 4-H. by *Stafford.

The Speaker referred House Joint Resolution No. 708 to the Calendar and Rules Committee.

House Joint Resolution 0709 -- Memorials, Professional Achievement -- Honors Kelly Hudson, 1987 National Consumer Education Winner. by *Stafford.

The Speaker referred House Joint Resolution No. 709 to the Calendar and Rules Committee.

House Joint Resolution 0710 -- Memorials, Retirement -- Honors Congressman Ed Jones on his retirement from the 8th Congressional District. by *Naifeh, *Tanner, *Ivy, *Crain, *Kisber, *Davis Ray, *Stallings, *Holt, *Herron, *Ridgeway, *Collier.

The Speaker referred House Joint Resolution No. 710 to the Calendar and Rules Committee.

House Joint Resolution 0711 -- Memorials, Congratulations -- Honors World Wide Art Studios of Covington on being selected Business of the Year. by *Naifeh.

The Speaker referred House Joint Resolution No. 711 to the Calendar and Rules Committee.

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House Joint Resolution 0713 -- Memorials, Sports -- Honors Coach Russell Richardson and Celina High School football team. by *Winningham.

The Speaker referred House Joint Resolution No. 713 to the Calendar and Rules Committee.

House Joint Resolution 0715 -- Memorials, Recognition and Thanks -- Honors Carla Sorrells, 1988 legislative intern. by *Phillips, *Kisber, *Turner B.

The Speaker referred House Joint Resolution No. 715 to the Calendar and Rules Committee.

House Joint Resolution 0718 -- Memorials, Professional Achievement -- Honors Eleanor Burt on service as librarian for State Planning Office. by *Bushing, Pruitt.

The Speaker referred House Joint Resolution No. 718 to the Calendar and Rules Committee.

RESOLUTIONS LYING OVER

***Senate Joint Resolution 0319** -- General Assembly, Studies -- Creates special joint study committee to review delivery system for provision of alcohol and drug abuse prevention and treatment.

The Speaker referred Senate Joint Resolution No. 319 to the General Welfare Committee.

***Senate Joint Resolution 0366** -- General Assembly, Studies -- Continues special joint committee created by SJR 161 to examine mental health service delivery systems.

The Speaker referred Senate Joint Resolution No. 366 to the General Welfare Committee.

INTRODUCTION OF BILLS

House Bill No. 2505 -- Benton -- Creates new charter. Amends Chapter 417, Private Acts of 1951, as amended. by *Harrill.

Passed first consideration.

House Bill No. 2506 -- Robertson County -- Revises membership and establishes powers of board of trust for Robertson County Hospital. Amends Chapter 120, Private Acts of 1955. by *Davidson.

Passed first consideration.

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House Bill No. 2507 -- Knoxville -- Increases number on Knox County transit commission. Amends Chapter 847, Public Acts of 1982. by *May.

Passed first consideration.

House Bill No. 2508 -- Elkton -- Revises duties and authority of police department. Amends Chapter 296 of Private Acts of 1972 as amended. by *DePriest.

Passed first consideration.

House Bill No. 2510 -- Consumer Protection -- Enacts "Tennessee Credit Services Business Act". by *Head; *Moore Calvin.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

***Senate Bill No. 0935** -- Occupational Licenses and Licensing Boards -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 963.

***Senate Bill No. 2259** -- Hospitals and Health Care Facilities -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 2410.

***Senate Bill No. 2288** -- Unemployment Compensation -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 2289.

***Senate Bill No. 2348** -- Taxes, Real Property -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 2369.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 2502 -- Clarksville -- Passed second consideration and held on the Clerk's desk.

House Bill No. 2503 -- Erwin -- Passed second consideration and held on the Clerk's desk.

House Bill No. 2509 -- Blount County -- Passed second consideration and held on the Clerk's desk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 462 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 1861, 1945, 2254 and 2294; House Resolutions Nos. 125 and 126.

SIGNED

The Speaker announced that he had signed the following: Senate Joint Resolution No. 462.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 2490; House Joint Resolution No. 667, with his approval.

DAVID H. WELLES,
Counsel to the Governor.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 150 and 1935; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 43, 1659, 1722, 1738, 1748, 1818, 1823, 1832, 1888, 1896, 1928, 1973, 1996, 1998, 2043, 2167, 2206, 2249 and 2270; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 513, 1453, 1533, 1594, 1602, 1603, 1606, 1654, 1690, 1897, 2330, 2391 and 2486; also, House Joint Resolutions Nos. 444, 476, 489, 562, 651, 652, 653, 654, 655, 656, 659, 660 and 663; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

THURSDAY, APRIL 14, 1988 -- EIGHTY-THIRD LEGISLATIVE DAY

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1733, 2147, 2423, 2426 and 2479; substituted for Senate Bills on same subjects and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 662, 664, 665, 666, 669 and 670; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 244, 370, 425, 426, 427, 428, 429, 431, 432 and 461 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1861, 1945, 2254 and 2294; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 43, 1659, 1722, 1738, 1748, 1818, 1823, 1832, 1888, 1896, 1928, 1973, 1996, 1998, 2043, 2167, 2206, 2249 and 2270; Senate Joint Resolutions Nos. 244, 370, 425, 426, 427, 428, 429, 431, 432, 461.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1374, 2166, 2167, 2185, 2473, 2483 and 2500; all substituted for Senate Bills on same subjects and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

THURSDAY, APRIL 14, 1988 -- EIGHTY-THIRD LEGISLATIVE DAY

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 1618; and House Joint Resolutions Nos. 485, 594, 595 and 596; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 1130; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Bill No. 1130 -- Partnerships -- Revises certain provisions concerning limited partnerships. Amends TCA, Title 61, Ch. 2.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1861, 1945, 2254 and 2294; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 513, 1453, 1533, 1594, 1602, 1603, 1606, 1654, 1690, 1897, 2330, 2391 and 2486; and House Joint Resolutions Nos. 444, 476, 489, 562, 651, 652, 653, 654, 655, 656, 659, 660 and 663; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 450 and 467; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

THURSDAY, APRIL 14, 1988 -- EIGHTY-THIRD LEGISLATIVE DAY

Senate Joint Resolution No. 450 -- Memorials, Congratulations -- Honors University School decathlon team for winning state championship.

Senate Joint Resolution No. 467 -- Memorials, Recognition and Thanks -- Commends Samuel Jeffrey Summers, 1988 private legislative intern.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1109, 1515, 2422, 2429, 2448, 2455 and 2456; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Bill No. 1109 -- Drugs -- Increases penalty for manufacture, delivery or sale of certain controlled substances. Amends TCA 39-6-417.

***Senate Bill No. 1515** -- Tort Liability -- Permits waiver of liability for injuries due to simple negligence on privately-owned land. Amends TCA, Title 70, Ch. 7.

***Senate Bill No. 2422** -- Nuclear Materials, Transportation and Safety -- Regulates transportation of spent nuclear fuel over highways and railways. Same as *SB 2283/HB 2117. Amends TCA, Title 65, Ch. 15.

Senate Bill No. 2429 -- Unemployment Compensation -- Increases benefits. Amends TCA, Title 50, Ch. 7.

***Senate Bill No. 2448** -- Education, Dept. of -- Places DUI schools or programs operated by a state institution of higher education under jurisdiction of department. Amends TCA 33-2-502.

Senate Bill No. 2455 -- Insurance, Credit Life -- Requires certain information be disclosed by agents selling and companies issuing credit life insurance; establishes certain fines for false or inaccurate information. Amends TCA, Title 56, Ch. 7, Pt. 9.

Senate Bill No. 2456 -- Solid Waste Disposal -- Permits certain universities to develop incinerators for solid waste disposal. Amends TCA, Titles 49, 68.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 2112, 2143 and 2501; and House Joint Resolutions Nos. 598, 687, 689, 690, 692, 695, 696, 697, 728 and 729; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

THURSDAY, APRIL 14, 1988 -- EIGHTY-THIRD LEGISLATIVE DAY

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 1638; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENROLLED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1374, 1733, 2132, 2147, 2166, 2167, 2185, 2423, 2426, 2473, 2479, 2483, 2500; House Resolutions Nos. 127, 128, 129; also, House Joint Resolutions Nos. 662, 664, 665, 666 669 and 670; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with **Rule No. 48**, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 2503 and 2509.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following additional bills and/or resolutions on the Consent Calendar for Monday, April 18, 1988: House Joint Resolution No. 577; House Resolution No. 130; House Joint Resolutions Nos. 704, 705, 706, 707, 708, 709, 710, 711, 713, 715 and 718; House Bills Nos. 2503 and 2509.

PHILLIPS, Chairman.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following additional bills and/or resolutions on the calendar for Wednesday, April 20, 1988: House Bills Nos. 1881, 2122, 2144, 2421, 2352, 519, 2211, 2433, 1802, 2063.

PHILLIPS, Chairman.

THURSDAY, APRIL 14, 1988 -- EIGHTY-THIRD LEGISLATIVE DAY

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills and/or resolutions on the calendar for Thursday, April 21, 1988: House Bills Nos. 2168, 270, 1758, 1759 and 2431.

PHILLIPS, Chairman.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray — 98.

On motion of Rep. Naifeh, the House adjourned until 5:00 P.M. Monday, April 18, 1988.